

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

**Brian Froehler, Rick Wagner, Mark  
Matteucci, Robert J. Jones, Arnold J.  
Gutierrez, Jeff Pudlo**

Application No.: 10/024,818

Filing Date: December 18, 2001

For: **Enhanced Triple-Helix And Double-Helix Formation With Oligomers  
Containing Modified Pyrimidines**

Confirmation No.: 3496

Group Art Unit: 1637

Examiner: Jeffrey Norman Fredman

EXPRESS MAIL LABEL NO: EL970385625US  
DATE OF DEPOSIT: August 13, 2004

EL970385625US

MS Amendment  MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

## REPLY TRANSMITTAL LETTER

- A Preliminary Amendment.
- An Amendment Responsive to the Final Rejection dated April 22, 2004 and the Advisory Action Dated July 22, 2004.
- An Amendment Supplemental to the Paper filed .
- A Substitute Specification (pages 1 - ) in clean form.
  - A substitute specification (pages 1 - ) with markings.
- An Abstract is enclosed.
- replacement sheets of drawings are enclosed comprising figures .
- Request is hereby made to accept black and white photograph(s) in this case, as they are the only practicable medium for illustrating the claimed invention. One (1) set of black and white photographs comprising figure(s) is submitted herewith.
- Petition is hereby made to accept drawing(s)/photograph(s) in this case.

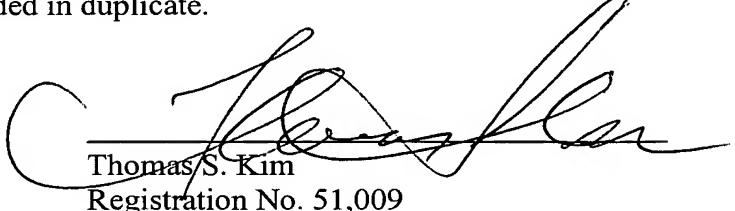
- Three (3) sets of color drawing(s)/photograph(s) and black and white photocopy that accurately depicts to the extent possible, the subject matter shown in the color drawing(s)/photograph(s), are enclosed, comprising figures
- An amendment to the first paragraph in that portion of the Brief Description of the Drawings is also enclosed herewith advising that the patent contains at least one drawing/photograph in color.
- A Certified Copy of each of the following applications: \_\_\_\_\_ is enclosed.
- An Associate Power of Attorney is enclosed.
- Information Disclosure Statement.
  - Attached Form 1449.
  - A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- A Terminal Disclaimer is attached.
- Appendices as follows:
- Other: Notice of Appeal from the Primary Examiner to the Board of Appeals Pursuant to 37 CFR § 1.192; Copy of Decision on Petition Under 37 CFR 1.78(a)(3) mailed July 14, 2004
- No Additional Fee is Due.**
- Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as \_\_\_\_\_
- This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.

			SMALL ENTITY		NOT SMALL ENTITY		
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	Fee	RATE	Fee
TOTAL CLAIMS	18	156 (20 MINIMUM)		\$9 EACH	\$	\$18 EACH	\$0
INDEP. CLAIMS	6	7 (3 MINIMUM)		\$43 EACH	\$	\$86 EACH	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$145	\$	\$290	\$0
<input checked="" type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$110.00
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$210	\$	\$420	\$0
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$475	\$	\$950	\$0
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$740	\$	\$1480	\$0
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$1005	\$	\$2010	\$0
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ )	minus	(\$0)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$0
<input checked="" type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS: NOTICE OF APPEAL (attached)							\$330.00
TOTAL FEE DUE					\$		\$440.00

- A check in the amount of \$440.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- Please charge Deposit Account No. 23-3050 in the amount of .00. This sheet is attached in duplicate.
- Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4)) to extend the time for response to the Office Action of April 22, 2004 to and through August 22, 2004 comprising an extension of the shortened statutory period of one (1) month(s).

The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.

Date: 8/13/04

  
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Application No.: 10/024,818  
Office Action Dated: April 22, 2004

PATENT  
REPLY FILED UNDER EXPEDITED  
PROCEDURE PURSUANT TO  
37 CFR § 1.116



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**REPLY PURSUANT TO 37 CFR § 1.116**

In response to the Final Rejection dated **April 22, 2004** and the Advisory Action dated **July 22, 2004**, reconsideration is respectfully requested in view of the amendments and/or remarks as indicated below:

- Amendments to the Specification** begin on page of this paper.
- Amendments to the Claims** are reflected in the listing of the claims which begins on page 2 of this paper.
- Remarks** begin on page 8 of this paper.